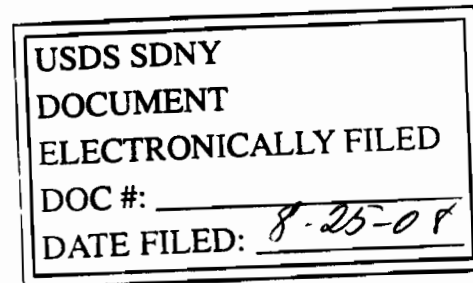


EARL S. WARD
Attorney at Law
75 Rockefeller Plaza, 20th Floor
New York, New York 10019
Tel: (212) 763-5070 Fax: (212) 763-5001

August 20, 2008

BY FAX (212)805-6382
Honorable Victor Marrero
United States District Judge
500 Pearl Street
New York, New York 10007

Re: Sivadel v. City of New York, et.al.
08 CV 167 (VM)



Dear Judge Marrero:

I am the attorney for the plaintiff in the above-referenced matter. I am writing with the consent of defendant's counsel to respectfully request a sixty day extension of time, from September 30, 2008 to November 28, 2008, for the close of discovery. This is the first request from the parties for an extension of the close of discovery.

This request is due, in part, to the amendment of the complaint which named five additional defendants. Upon service of these defendants, answers will have to be filed and served, and then depositions will have to be conducted. Accordingly, the parties respectfully request that the Court grant the extension of time. Attached for the Court's review and signature is a proposed Revised Case Management Plan.

Respectfully,

A handwritten signature in cursive script, appearing to read "Earl S. Ward".

Earl S. Ward (ESW 2875)
Attorney for Plaintiff

cc: A. Hyun Rich, Esq. (By Fax)
Attorney for Defendant City of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAIBE SIVADEL,

Plaintiff,

vs.

08 CV 167 (VM)

**AMENDED
CASE MANAGEMENT
PLAN**

THE CITY OF NEW YORK, POLICE OFFICERS
VALLISON ISAAC, DISHEA PASCHALL, JOSEPH
CHAMBERS, JOSE FALERO, SERGEANT DAWUD
DANIEL BEY AND JOHN DOE and JANE DOE (names
and number of whom are unknown at present), and other
unidentified members of the New York City Police
Department

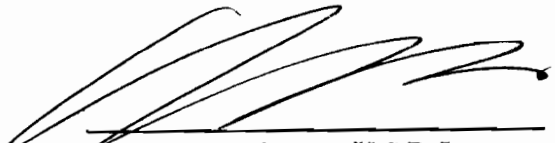
Defendants
-----X

The following Amended Case Management Plan is entered upon agreement by the parties.

- (i) All fact discovery to be completed by **November 28, 2008**
- (ii) Depositions to be completed by **October 31, 2008**
- (iii) Requests to Admit to be served no later than **October 31, 2008**
- (iv) All expert discovery (ordinarily conducted following the completion of fact discovery) including parties' expert reports and depositions, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b), is to be completed by:
 - a. Plaintiff **December 29, 2008**
 - b. Defendant **January 29, 2008**
- (v) Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than **December 12, 2008**
- (vi) The next Case Management Conference is scheduled for 12-5-08 at 9:45 a.m.

SO ORDERED:

DATED: New York, New York
24 August 2008


Hon. Victor Marrero, U.S.D.J.